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Attorney for Plaintiff
 CRAIG YATES

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

CRAIG YATES, an individual,

Plaintiff,

v.

YANCY'S SALOON; MARIA
 GIOVANNA VALBONESI; and REMO
 DANILO VALBONESI,

Defendants.

CASE NO. CV-09-5728-JL

**STIPULATION OF DISMISSAL AND
~~PROPOSED~~ ORDER THEREON**

The parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the Settlement Agreement and General Release ("Agreement") herein, each party is to bear its own costs and attorneys' fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

Therefore, IT IS HEREBY STIPULATED by and between parties to this action through their designated counsel that the above-captioned action be and hereby is dismissed with prejudice

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1 pursuant to Federal Rules of Civil Procedure section 41(a)(1).

2 This stipulation may be executed in counterparts, all of which together shall constitute one
3 original document.

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5 Dated: April 6, 2011

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

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8 By: /S/
9 Thomas E. Frankovich
10 Attorney for Plaintiff CRAIG YATES, an individual,

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12 Dated: _____, 2011

Law Offices Of Mark R. Mittelman

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15 By: _____
16 Mark Mittelman
17 Attorneys for Defendants YANCY'S SALOON;
18 MARIA GIOVANNA VALBONESI; and REMO
19 DANILO VALBONESI

20 **ORDER**

21 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
22 Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the
23 purpose of enforcing the parties' Settlement Agreement and General Release should such
24 enforcement be necessary.

25 Dated: 4-8, 2011

26
27 
28 Honorable Magistrate Judge James Larsen
UNITED STATE DISTRICT JUDGE

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5 Dated: _____, 2011

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

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8
9 By: _____
Thomas E. Frankovich
Attorney for Plaintiff CRAIG YATES, an individual,

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11
12 Dated: 4/1, 2011

Law Offices Of Mark R. Mittelman

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14 
15 By: _____
Mark Mittelman
16 Attorneys for Defendants YANCY'S SALOON;
17 MARIA GIOVANNA VALBONESI; and REMO
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28 UNITED STATE DISTRICT JUDGE